

**SIXTY-FOURTH LEGISLATIVE DAY  
MONDAY, MARCH 15, 2004**

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed 62 members present.

Absent and excused -- Bedke, Bell, Jaquet, Moyle, Raybould, Ridinger, Stevenson, Mr. Speaker. Total -- 8.

Total -- 70.

Prayer was offered by Terry W. Smith, Executive Director, Health Families.

The Pledge of Allegiance was led by Jenna Erlebach, Page.

**Approval of Journal**

March 15, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-first Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

March 12, 2004

Mr. Speaker:

I transmit herewith enrolled **S 1224, S 1243**, as amended, **S 1303, S 1304, S 1331, S 1344, S 1408, S 1409, S 1410, S 1411, S 1412, S 1413**, and **S 1414** for the signature of the Speaker.

WOOD, Secretary

The Acting Speaker announced that enrolled **S 1224, S 1243**, as amended, **S 1303, S 1304, S 1331, S 1344, S 1408, S 1409, S 1410, S 1411, S 1412, S 1413**, and **S 1414** would be signed by the Speaker, and when so signed, ordered them returned to the Senate.

March 12, 2004

Mr. Speaker:

I return herewith enrolled **HJM 15, HCR 40, HJM 17, HCR 39**, and **HCR 45** which have been signed by the President.

WOOD, Secretary

Enrolled **HJM 15, HCR 40, HJM 17, HCR 39**, and **HCR 45** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 12, 2004

Mr. Speaker:

I transmit herewith **S 1321**, as amended, and **S 1435** which have passed the Senate.

WOOD, Secretary

**S 1321**, as amended, and **S 1435** were filed for first reading.

March 12, 2004

Mr. Speaker:

I return herewith **H 560**, as amended in the Senate, and **H 473**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

**H 560**, as amended in the Senate, and **H 473**, as amended in the Senate, were ordered held at the Desk.

Mrs. Miller asked unanimous consent that the House concur in the Senate amendments to **H 560**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Cuddy asked unanimous consent that the House concur in the Senate amendments to **H 473**, as amended in the Senate. There being no objection, it was so ordered.

**H 560**, as amended in the Senate, and **H 473**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

**Report of Standing Committees**

March 15, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 835**.

FIELD(18), Chairman

**H 835** was filed for second reading.

March 15, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 49** and **HCR 46**.

FIELD(18), Chairman

The Acting Speaker announced that enrolled **HCR 49** and **HCR 46** would be signed by the Speaker, and when so signed, ordered them transmitted to the Senate for the signature of the President.

March 15, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 51** and **HCR 47** to the Secretary of State at 1:57 p.m., as of this date, March 12, 2004.

FIELD(18), Chairman

March 12, 2004

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **S 1232**, as amended, and recommend that it do pass.

JONES, Chairman

**S 1232**, as amended, was filed for second reading.

March 12, 2004

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1289**, **S 1292**, and **H 829** and recommend that they do pass.

SALI, Chairman

**S 1289**, **S 1292**, and **H 829** were filed for second reading.

March 12, 2004

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1288** and report it back with amendments attached to be placed on General Orders for consideration.

SALI, Chairman

**S 1288** was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

#### **Motions, Memorials, and Resolutions**

March 10, 2004

The Honorable Douglas Jones  
Chairman, Agricultural Affairs Committee

Dear Representative Jones:

I hereby designate the Agricultural Affairs Committee a privileged committee for the purpose of introducing RS 14263 on Monday, March 15, 2004.

/s/ Sincerely,  
Bruce Newcomb  
Speaker of the House

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 836 BY AGRICULTURAL AFFAIRS COMMITTEE AN ACT**

RELATING TO AQUACULTURE; AMENDING TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 44, TITLE 22, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO DEFINE TERMS, TO PROVIDE FOR THE IDAHO AQUACULTURE COMMISSION, TO PROVIDE POWERS AND DUTIES OF THE COMMISSION, TO PROVIDE FOR THE DEPOSIT AND DISBURSEMENT

OF FUNDS, TO PROVIDE FOR STATE AUDITS OF COMMISSION FUNDS, TO PROVIDE FOR ANNUAL REPORTS, TO PROVIDE FOR BIENNIAL AUDITS, TO PROVIDE THAT THE STATE IS NOT LIABLE, TO PROVIDE FOR ASSESSMENTS, TO PROVIDE FOR REFUNDS AND TO PROVIDE FOR AN OPT OUT ALTERNATIVE; AND AMENDING SECTION 67-2601, IDAHO CODE, TO INCLUDE THE IDAHO AQUACULTURE COMMISSION IN THE DEPARTMENT OF SELF-GOVERNING AGENCIES.

#### **HOUSE BILL NO. 837 BY APPROPRIATIONS COMMITTEE AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2005; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS TO THE ENVIRONMENTAL REMEDIATION FUND; EXPRESSING LEGISLATIVE INTENT REGARDING THE ENVIRONMENTAL REMEDIATION FUND AND REQUIRING AN ANNUAL REPORT; EXPRESSING LEGISLATIVE INTENT WITH REGARD TO STATE MATCH; AND PROHIBITING THE DEPARTMENT OF ENVIRONMENTAL QUALITY FROM TRANSFERRING APPROPRIATIONS OUT OF THE AIR QUALITY PROGRAM.

**H 836** and **H 837** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1321**, as amended, by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

**S 1435**, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Business Committee.

There being no objection, the House advanced to the Tenth Order of Business.

#### **Second Reading of Bills and Joint Resolutions**

**S 1283**, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 817**, by Ways and Means Committee, was read the second time by title and filed for third reading.

**S 1262**, as amended, **S 1379**, **S 1394**, and **S 1407**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**S 1353**, by Education Committee, was read the second time by title and filed for third reading.

**H 524**, as amended in the Senate, by Business Committee,

was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mrs. Ellsworth asked unanimous consent that **S 1432**, **S 1433**, **S 1434**, and **S 1367** be placed at the bottom of the Third Reading Calendar. There being no objection, it was so ordered.

**S 1282** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Edmunson to open debate.

The question being, "Shall **S 1282** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Block, Boe, Bradford, Campbell, Cannon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jones, Lake, Langford, Martinez, McGeachin, McKague, Meyer, Miller, Naccarato, Nielsen, Ringo, Roberts, Rydalph, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 48.

NAYS -- Bolz, Cuddy, Douglas, Eberle, Harwood, Kellogg, Kulczyk, Langhorst, Mitchell, Pasley-Stuart, Ring, Robison, Sali. Total -- 13.

Absent and excused -- Bedke, Bell, Black, Jaquet, Moyle, Raybould, Ridinger, Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Acting Speaker declared **S 1282** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1256** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Martinez to open debate.

The question being, "Shall **S 1256** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Robison, Rydalph, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Bedke, Bell, Black, Crow, Jaquet, Moyle, Raybould, Ridinger, Roberts, Stevenson, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Acting Speaker declared **S 1256** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1257** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Bauer to open debate.

The question being, "Shall **S 1257** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Robison, Rydalph, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Bedke, Bell, Black, Crow, Jaquet, Moyle, Raybould, Ridinger, Roberts, Stevenson, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Acting Speaker declared **S 1257** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1258** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Naccarato to open debate.

The question being, "Shall **S 1258** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Robison, Rydalph, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Bedke, Bell, Campbell, Crow, Jaquet, Moyle, Raybould, Ridinger, Roberts, Stevenson, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Acting Speaker declared **S 1258** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1259** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Trail to open debate.

The question being, "Shall **S 1259** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Bedke, Bell, Campbell, Jaquet, Moyle, Raybould, Ridinger, Roberts, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Acting Speaker declared **S 1259** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1260** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Andersen to open debate.

The question being, "Shall **S 1260** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 59.

NAYS -- Kulczyk, Sali. Total -- 2.

Absent and excused -- Bedke, Bell, Deal, Jaquet, Moyle, Raybould, Ridinger, Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Acting Speaker declared **S 1260** passed the

House. Title was approved and the bill was ordered returned to the Senate.

**S 1371** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **S 1371** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Bedke, Bell, Jaquet, Lake, Moyle, Raybould, Ridinger, Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Acting Speaker declared **S 1371** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1276** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Cannon to open debate.

The question being, "Shall **S 1276** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barrett, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Barraclough, Bedke, Bell, Crow, Jaquet, Lake, Moyle, Raybould, Ridinger, Stevenson, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Acting Speaker declared **S 1276** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1382** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **S 1382** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Bedke, Bell, Crow, Jaquet, Lake, Moyle, Raybould, Ridinger, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Acting Speaker declared **S 1382** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SCR 129** was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Campbell to open debate.

The question being, "Shall **SCR 129** be adopted?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Bedke, Bell, Crow, Gagner, Jaquet, Moyle, Raybould, Ridinger, Schaefer, Stevenson, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Acting Speaker declared **SCR 129** adopted and ordered the resolution returned to the Senate.

**S 1311** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Bauer to open debate.

The question being, "Shall **S 1311** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Black, Block, Boe, Cannon, Collins, Cuddy, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Henbest, Jones, Langford, Langhorst, Martinez, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Robison, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Trail, Wills. Total -- 39.

NAYS -- Barrett, Bayer, Bolz, Bradford, Campbell, Clark, Eberle, Harwood, Kellogg, Lake, McGeachin, McKague, Roberts, Rydalch, Sali, Smith(24), Snodgrass, Wood. Total -- 18.

Absent and excused -- Bedke, Bell, Crow, Deal, Gagner, Jaquet, Kulczyk, Moyle, Raybould, Ridinger, Schaefer, Stevenson, Mr. Speaker. Total -- 13.

Total -- 70.

Whereupon the Acting Speaker declared **S 1311** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SJM 109** was read the third time at length and placed before the House for final consideration.

At this time, the Acting Speaker recognized Mr. Cannon to open debate.

The question being, "Shall **SJM 109** be adopted?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills. Total -- 57.

NAYS -- Barrett, McKague, Wood. Total -- 3.

Absent and excused -- Bedke, Bell, Crow, Gagner, Jaquet, Moyle, Raybould, Ridinger, Stevenson, Mr. Speaker. Total -- 10.

Total -- 70.

Whereupon the Acting Speaker declared **SJM 109** adopted and ordered the memorial returned to the Senate.

Mrs Ellsworth asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

### Motions, Memorials, and Resolutions

Mrs. Ellsworth moved that all rules of the House interfering with the immediate consideration of **H 817** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 817** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mrs. Boe.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 59.

NAYS -- None.

Absent and excused -- Bedke, Bell, Crow, Deal, Gagner, Jaquet, Moyle, Raybould, Ridinger, Stevenson, Mr. Speaker. Total -- 11.

Total -- 70.

Whereupon the Acting Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 817** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Block, Mr. Meyer, and Mr. Roberts to open debate.

The question being, "Shall **H 817** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Trail, Wills, Wood. Total -- 61.

NAYS -- None.

Absent and excused -- Bedke, Bell, Gagner, Jaquet, Moyle, Raybould, Ridinger, Stevenson, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Acting Speaker declared **H 817** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 838 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2005.

#### HOUSE BILL NO. 839 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE MEDICAL BOARDS FOR FISCAL YEAR 2005; AND AUTHORIZING ONE-HALF ADDITIONAL FULL-TIME EQUIVALENT POSITION.

#### HOUSE BILL NO. 840 BY APPROPRIATIONS COMMITTEE AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE REGULATORY BOARDS FOR FISCAL YEAR 2005; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE REGULATORY BOARDS FOR FISCAL YEAR 2004; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2005; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2004; AND DECLARING AN EMERGENCY FOR SECTIONS 2 AND 4 OF THIS ACT.

#### HOUSE BILL NO. 841 BY APPROPRIATIONS COMMITTEE AN ACT

RELATING TO APPROPRIATIONS; TO EXEMPT THE EXECUTIVE OFFICE OF THE GOVERNOR FROM CERTAIN PROVISIONS OF IDAHO CODE FOR FISCAL YEAR 2004; AND DECLARING AN EMERGENCY.

**H 838, H 839, H 840, and H 841** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mrs. Ellsworth moved that the House adjourn until 9:30 a.m., Tuesday, March 16, 2004. Seconded by Mrs. Boe. Motion carried.

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Whereupon the Speaker declared the House adjourned at  
11:32 a.m.

LAWRENCE DENNEY, Acting Speaker

ATTEST:

PAMM JUKER, Chief Clerk